UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/748,312	12/29/2003	Juei-Mei Wang		7985

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ART UNIT	PAPER NUMBER
3628	

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

	Application No.	Applicant(s)
Office Action Summary	10/748,312	WANG, JUEI-MEI
	Examiner	**Art Unit**	
	Eric Liou	3628	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on <u>18 January 2008</u>.
2a) ☒ This action is **FINAL**.   2b) ☐ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) <u>1-15</u> is/are pending in the application.
    4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) <u>1-13</u> is/are rejected.
7) ☒ Claim(s) <u>14 and 15</u> is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.
10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
    a) ☐ All   b) ☐ Some * c) ☐ None of:
      1. ☐ Certified copies of the priority documents have been received.
      2. ☐ Certified copies of the priority documents have been received in Application No. _____.
      3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
   Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
   Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Status of Claims

1.   Applicant has amended claims 1 and 3-10 and added claims 12-15.

Response to Arguments

2.   Applicant's arguments filed 7/18/07 and 1/18/08 have been fully considered but they are

not persuasive.

3.   Regarding the double patenting rejection, Applicant argues amended claims 1 and 7 are

patentable over claims 1 and 7-11 of copending Application No. 10/748872. The Examiner

notes, Shimizu et al. has been brought into the nonstatutory double patenting rejection to cover

the new features added in the amendment. See double patenting rejection below.

4.   Regarding claim 1, Applicant submits that Shimizu does not disclose, teach, or otherwise

suggest the invention having, "the database server is connected to a purchase management

system, an inventory management system, and a production management system via a network

for data transmission therebetween." The Examiner respectfully disagrees. Shimizu discloses a

server and memory unit that perform the function of a purchase management system, an

inventory management system, and a production management system recited in the claim. Since

the claim does not specify that the above-mentioned systems have to be separate systems, the

Examiner interprets the server and memory unit combination of Shimizu to be a purchase

management system, an inventory management system, and a production management system.

5.   Applicant further submits that Shimizu does not disclose, teach, or otherwise suggest the

invention having the following highlighted features:

"**the web server has an application layer that comprises enterprise plans, operation methods, and management models**, and the web server comprises:

a current period purchase costs calculation module for calculating purchase expenses and purchase costs apportioned to each unit of each material in a current period;

a historical purchase costs calculation module for calculating historical purchase costs of each material; and

a material costs integration module for calculating material costs consumption in each unit of a product.

6.   The Examiner respectfully disagrees. Shimizu discloses the cost estimation system is based on assuming an ideal model of business (Shimizu: paragraph 0101). Therefore, the system of Shimizu has an application layer comprising enterprise plans, operation methods, and management models. Regarding the above-mentioned cost calculation modules, Shimizu discloses that purchase expenses and costs, historical purchase costs and material consumption costs are stored in memory as described in the art rejection below (Shimizu: paragraphs 0155; 0184; 0185; 0187; 0275). The Examiner notes, the step of storing the expenses in memory (e.g. setting the expense value equal to an index value in memory) is in itself a simple calculation. Therefore, Shimizu discloses calculation modules that calculate the expense values.

7.   Regarding claim 7, Applicant's arguments are substantially similar to claim 1 and are therefore addressed above.

Claim Rejections - 35 USC § 101

8.   The Examiner acknowledges amended claim 7 and removes the previous rejection.

Claim Rejections - 35 USC § 102

9.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the

basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed
> in the United States before the invention by the applicant for patent or (2) a patent granted on an application for
> patent by another filed in the United States before the invention by the applicant for patent, except that an
> international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this
> subsection of an application filed in the United States only if the international application designated the United
> States and was published under Article 21(2) of such treaty in the English language.

10.   Claims 1-11 are rejected under 35 U.S.C. 102(e) as being anticipated by Shimizu et al.,

U.S. Publication No. 2003/0037014.

11.   **As per claim 1**, Shimizu discloses a system for integration of material costs of a product

for calculating material costs of a product based on purchase data, inventory data and material

consumption data, the system comprising a web server and a database server, (Shimizu:

paragraphs 0103; 0146; 0513), wherein:

        the database server is connected to a purchase management system, an inventory

management system, and a production management system via a network for data transmission

there between (Shimizu: Fig. 2, "111" and "121"; Fig. 11A; paragraphs 0103; 0105; 0170; The

Examiner interprets server "111" and memory unit "121" to be a purchase management system,

an inventory management system, and a production management system.);

the database server comprises a database for storing purchase data, inventory data and

material consumption data, the purchase data include columns for: quantity of purchased

material, unit price of purchased material, and purchase expenses, the inventory data include

columns for: initial inventory quantity and initial inventory value of each material, and the

material consumption data include columns for: a current period production quantity and a

material consumption quantity of each product (Shimizu: paragraphs 0146; 0155; 0160-0161;

0225-0248); and

the web server has an application layer that comprises enterprise plans, operation

methods, and management models (Shimizu: paragraph 0101), and the web server comprises:

a current period purchase costs calculation module for calculating purchase expenses and

purchase costs apportioned to each unit of each material in a current period (Shimizu: paragraphs

0155; 0184; 0185; 0187);

a historical purchase costs calculation module for calculating historical purchase costs of

each material (Shimizu: paragraphs 0155; 0184; 0185; 0187; The Examiner broadly interprets

historical purchase costs to be any expense previously stored in one of the files.); and

a material costs integration module for calculating material costs consumption in each

unit of a product (Shimizu: paragraphs 0155; 0184; 0185; 0187; 0275).

12.   **As per claim 2**, Shimizu discloses the system of claim 1 as described above. Shimizu

further discloses wherein the web server further comprises a purchase data summarizing module

for summing up purchase data of each material to obtain a current period's total purchase

quantity, total purchase value and total purchase expenses of each material (Shimizu: paragraphs

0186-0187; 0225-0248).

13.   **As per claim 3**, Shimizu discloses the system of claim 1 as described above. Shimizu further discloses wherein the web server further comprises a purchase data retrieval module for obtaining current period purchase data from the purchase management system. (Shimizu: paragraphs: 0207-0209; 0225-0248; 0397-0401).

14.   **As per claim 4**, Shimizu discloses the system of claim 3 as described above. Shimizu further discloses the web server further comprises an inventory data retrieval module for obtaining current period inventory data from the inventory management system (Shimizu: paragraphs 0207-0209; 0225-0248; 0397-0401).

15.   **As per claim 5**, Shimizu discloses the system of claim 4 as described above. Shimizu further discloses the web server further comprises a material consumption data retrieval module for obtaining current period material consumption data of products from the production management system. (Shimizu: paragraphs 0207-0209; 0225-0248; 0397-0401).

16.   **As per claim 6**, Shimizu discloses the system of claim 1 as described above. Shimizu further discloses wherein the web server further comprises a material costs enquiry module, for obtaining data on each material's costs, the historical purchase costs of each material, and the current period purchase costs of the material (Shimizu: paragraphs 0155; 0184; 0185; 0187; 0207-0209; 0225-0248; 0397-0401).

17.   **As per claim 7**, Shimizu discloses a computer-enabled method for integration of material costs for calculating material costs of a product based on purchase data, inventory data and material consumption data, the method comprising the steps of:

        providing a database server connected to a purchase management system, an inventory management system, and a production management system via a network for data transmission

there between (Shimizu: Fig. 2, "111" and "121"; Fig. 11A; paragraphs 0103; 0105; 0170; The

Examiner interprets server "111" and memory unit "121" to be a purchase management system,

an inventory management system, and a production management system.);

providing a purchase data retrieval module installed in a web server for obtaining

purchase data from the purchase management system, and storing the purchase data in a database

(Shimizu: paragraphs 0145-0147)

providing a current period purchase costs calculation module installed in the web server

for calculating unit purchase expenses and current purchase costs of a unit of each material based

on the purchase data (Shimizu: paragraphs 0183-0187);

providing an inventory data retrieval module installed in the web server for obtaining

inventory data from the inventory management system, and storing the inventory data in the

database (Shimizu: paragraphs 0145-0147; 0207-0209; 0225-0248; 0397-0401);

providing a historical purchase costs calculation module installed in the web sever for

calculating historical purchase costs of a unit of each material based on the inventory data

(Shimizu: paragraphs 0183-0187; The Examiner broadly interprets historical purchase costs to be

any expense previously stored in one of the files.);

providing a material consumption data retrieval module installed in the web server for

obtaining material consumption data from the production management system, and storing the

material consumption data in the database (Shimizu: paragraph 0146; 0207-0209; 0225-0248;

0397-0401);

providing a material costs integration module installed in the web server for calculating costs of each material consumed in the product based on the material consumption data (Shimizu: paragraphs 0183-0187; 0207-0209; 0225-0248; 0397-0401);

providing a purchase data summarizing module installed in the web server for summing up the costs of each material consumed in the product to obtain material costs of the product (Shimizu: paragraphs 0186-0187; 0225-0248); and

the web server returning the material costs of the product to a client terminal of a company (Shimizu: paragraphs 0103; 0211).

18.   **As per claim 8**, Shimizu discloses the method of claim 7 as described above. Shimizu further discloses the step of obtaining purchase data is performed by accessing the purchase management system (Shimizu: paragraphs 0103; 105; The server obtains data from a storage device containing the data, which Examiner interprets as a data management system (the purchase management system)).

19.   **As per claim 9**, Shimizu discloses the method of claim 7 as described above. Shimizu further discloses the step of obtaining inventory data is performed by accessing the inventory management system (Shimizu: paragraphs 0103; 105; The server obtains data from a storage device containing the data, which Examiner interprets as a data management system (the inventory management system)).

20.   **As per claim 10**, Shimizu discloses the method of claim 7 as described above. Shimizu further discloses the step of obtaining material consumption data is performed by accessing the production management system (Shimizu: paragraphs 0103; 105; The server obtains data from a

storage device containing the data, which Examiner interprets as a data management system

(production management system)).

21.   **As per claim 11**, Shimizu discloses the method of claim 7 as described above. Shimizu

further discloses the following step after the step of obtaining purchase data and storing the

purchase data in a database: summing up purchase data of each material in a current period.

(Shimizu: paragraphs 0186-0187).

Claim Rejections - 35 USC § 103

22.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in
> section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are
> such that the subject matter as a whole would have been obvious at the time the invention was made to a person
> having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the
> manner in which the invention was made.

23.   Claim 12 is rejected under 35 U.S.C. 103(a) as being unpatentable over Shimizu et al.,

U.S. Publication No. 2003/0037014 in view of Greene, Production and Inventory Control

Handbook, Third Edition, McGraw Hill, copyright 1997, pg. 27.6.

24.   **As per claim 12**, Shimizu does not explicitly teach <u>wherein calculating unit purchase</u>

<u>expenses of a unit of each material is performed by utilizing the formula $E_{UP}=E_{TP}/Q_{TP}$, where</u>

<u>E_{UP} stands for the unit purchase expenses, E_{TP} stands for total purchase expenses, and Q_{TP} stands</u>

<u>for total purchase quantity</u>.

25.   Greene teaches the determination of the average cost per unit produced of a product

wherein (average cost per unit of production) = (total manufacturing costs) / (equivalent units of

production) (Greene: pg. 27.6, Table 27.3, "Example of Process Costing").

26.   It would have been obvious to one of ordinary skill in the art at the time the invention

was made to have modified the method of Shimizu to have included <u>wherein calculating unit</u>

<u>purchase expenses of a unit of each material is performed by utilizing the formula $E_{UP} = E_{TP}/Q_{TP}$,</u>

<u>where E_{UP} stands for the unit purchase expenses, E_{TP} stands for total purchase expenses, and Q_{TP}</u>

<u>stands for total purchase quantity</u> as taught by Suzuki for the advantage of determining the

associated costs of a product so that a company can generate a business plan that will maximize

profits.

27.   Claim 13 is rejected under 35 U.S.C. 103(a) as being unpatentable over Shimizu et al.,

U.S. Publication No. 2003/0037014 in view of Suzuki et al., U.S. Publication No. 2001/0023418.

28.   **As per claim 13**, Shimizu does not explicitly teach <u>wherein calculating current purchase</u>

<u>costs of a unit of each material is performed by utilizing the formula $C_{UP} = E_{UP} + (E_{TV}/Q_{TP})$,</u>

<u>where C_{UP} stands for the current purchase costs, E_{UP} stands for the unit purchase expenses, E_{TV}</u>

<u>stands for total purchase value, and Q_{TP}, stands for total purchase quantity</u>.

29.   Suzuki teaches the calculation of a unit cost (purchase costs of a unit) wherein (product

unit cost) = (material cost) + (processing cost) + (die cost) (Suzuki: paragraph 0035). It is noted

that the product unit cost formula is simply the sum of a set of costs that take into account all

relevant cost parameters. One skilled in the art would recognize that the number and type of

parameters/values used to calculate the product unit cost may vary depending on the product and

manufacturing process. Furthermore, it is within the knowledge and capabilities of one skilled in

the art to modify the well known product unit cost formula of Suzuki to derive Applicant's

current purchase cost formula.

30.   It would have been obvious to one of ordinary skill in the art at the time the invention

was made to have modified the method of Shimizu to have included <u>wherein calculating current</u>

<u>purchase costs of a unit of each material is performed by utilizing the formula</u> $C_{UP} = E_{UP} + (E_{TV}/$

$Q_{TP})$, <u>where</u> C_{UP} <u>stands for the current purchase costs,</u> E_{UP} <u>stands for the unit purchase expenses,</u>

E_{TV} <u>stands for total purchase value, and</u> Q_{TP}, <u>stands for total purchase quantity</u> as taught by

Suzuki for the advantage of determining the associated costs of a product so that a company can

generate a business plan that will maximize profits.

Double Patenting

31.   The nonstatutory double patenting rejection is based on a judicially created doctrine

grounded in public policy (a policy reflected in the statute) so as to prevent the unjustified or

improper timewise extension of the "right to exclude" granted by a patent and to prevent possible

harassment by multiple assignees.   A nonstatutory obviousness-type double patenting rejection

is appropriate where the conflicting claims are not identical, but at least one examined

application claim is not patentably distinct from the reference claim(s) because the examined

application claim is either anticipated by, or would have been obvious over, the reference

claim(s). See, e.g., *In re Berg*, 140 F.3d 1428, 46 USPQ2d 1226 (Fed. Cir. 1998); *In re*

Goodman, 11 F.3d 1046, 29 USPQ2d 2010 (Fed. Cir. 1993); *In re Longi*, 759 F.2d 887, 225

USPQ 645 (Fed. Cir. 1985); *In re Van Ornum*, 686 F.2d 937, 214 USPQ 761 (CCPA 1982); *In re*

Vogel, 422 F.2d 438, 164 USPQ 619 (CCPA 1970); and *In re Thorington*, 418 F.2d 528, 163

USPQ 644 (CCPA 1969).

32.   A timely filed terminal disclaimer in compliance with 37 CFR 1.321(c) or 1.321(d) may

be used to overcome an actual or provisional rejection based on a nonstatutory double patenting

ground provided the conflicting application or patent either is shown to be commonly owned

with this application, or claims an invention made as a result of activities undertaken within the

scope of a joint research agreement.

33.   Effective January 1, 1994, a registered attorney or agent of record may sign a terminal

disclaimer. A terminal disclaimer signed by the assignee must fully comply with 37 CFR

3.73(b).

34.   Claims 1-11 are provisionally rejected on the ground of nonstatutory double patenting

over claims 1 and 7-11 of copending Application No. 10/748872 (U.S. Patent Publication No.

US 2004/0143488 A1) in view of Shimizu et al., U.S. Publication No. 2003/0037014. This is a

provisional double patenting rejection since the conflicting claims have not yet been patented.

        The subject matter claimed in the instant application is fully disclosed in the referenced

copending application and would be covered by any patent granted on that copending application

since the referenced copending application and the instant application are claiming common

subject matter, as follows:

        Claim 1 of copending Application No. 10/748872 discloses:

        1. A system for integration of actual product costs for calculating actual costs of a

product, the system comprising a web server and a database server, wherein: the database server

comprises a database for storing cost variable definition data, operation center definition data,

manufacturing expenses data, <u>purchase data, inventory data and consumed material data</u>, said

cost variable definition data comprising cost variance (hereinafter "variance") related data

including a cost variable code field, a cost variable name field, a cost variable unit field and other

fields, said operation center definition data comprising data on cost variables and work centers of

each of operation centers, said manufacturing expenses data comprising expenses of each of

manufacturing expenses accounts, said purchase data comprising purchase date, material

number, material name, purchase quantity, purchase unit price, purchase expenses, said

inventory data comprising current period inventory data and initial inventory data, said

consumed material data comprising product name, product number, current period produced

quantity, and all consumed materials' numbers, names and quantities; and the web server

comprises: a value-added costs integration module for calculating value-added costs of a

product, the value-added costs integration module comprising: a cost group file creation sub-

module for defining cost groups, manufacturing expenses accounts and cost variables in each

cost group, and for calculating the manufacturing expenses of each cost group based on the

manufacturing expenses data and the cost variable definition data; an operation center variance

calculation sub-module for calculating the sum of all the operation centers' variances and each

product's variance for each operation center, based on the operation center definition data and the

work time data on work orders; a cost group apportionment sub-module for specifying a ratio of

each cost group's manufacturing expenses apportioned to each operation center; and a value-

added costs calculation sub-module for calculating each operation center's total costs, each cost

group's manufacturing costs corresponding to the operation center, and the operation center's

apportioned variance; a material costs integration module for calculating material costs of a

product, the material costs integration module comprising: a current period purchase costs

calculation sub-module for calculating purchase expenses apportioned to each of units of a

material and current period purchase costs of a unit of the material based on purchase data of the

material; a historical purchase costs calculation sub-module for calculating historical purchase

costs of a unit of the material based on the inventory data and the current period purchase costs; a

material costs calculation sub-module for calculating costs of each material consumed in a

product based on the quantity of the consumed material, historical purchase costs of a unit of the

material and the produced quantity of the product, and for calculating the material costs of the

product based on the costs of each material consumed in the product; and an actual costs

integration module for calculating actual costs of the product by summing up the value-added

costs and the material costs of the product.

Claims 7-11 of copending Application No. 10/748872 disclose:

A material costs integration module further comprises a purchase data gathering sub-

module for gathering current period purchase data of the material to obtain a total purchase

quantity, a total purchase value and total purchase expenses of the material.

A system for integration of actual product costs, wherein the material costs integration

module further comprises a purchase data retrieval sub-module for retrieving purchase data of

the material.

A system for integration of actual product costs, wherein the material costs integration

module further comprises an inventory data retrieval sub-module for retrieving the inventory

data of materials.

A system for integration of actual product costs, wherein the material costs integration

module further comprises a consumed material data retrieval sub-module for retrieving the

consumed material data of the product.

A computer-enabled method for integration of actual product costs in order to calculate actual product costs of a product, the method comprising the steps of: (a) calculating value-added costs of a product, comprising: (a1) defining cost variables, codes and other related data for generating cost variable definition data; (a2) defining work centers in each of operation centers and determining cost variables of each product in order to generate operation center definition data; (a3) obtaining manufacturing expenses information and saving the information as manufacturing expenses data; (a4) defining cost groups, and manufacturing expenses accounts and cost variables in each cost group based on the cost variable definition data and manufacturing expenses definition data, and calculating manufacturing expenses of each cost group; (a5) obtaining work time data on work orders, summing up all the work time on work orders of each work center in each operation center, and calculating an operation center total variance and product variances of each operation center; (a6) defining an apportioned variance to be apportioned to each operation center from the cost group's manufacturing expenses; and (a7) calculating the value-added costs of each product based on the manufacturing expenses of each cost group, the apportioned variance of each operation center, the operation center total variance of each operation center, and a product variance of that product; (b) calculating material costs of a product, comprising: (b1) obtaining purchase data and saving the data in the database; (b2) calculating current period purchase expenses apportioned to each of units of each material and current period costs of each unit of each material; (b3) obtaining inventory data and saving the data in the database; (b4) calculating historical purchase costs of each unit of each material; (b5) obtaining consumed material data of a product and saving the data in the database; (b6) calculating costs of each material consumed in the product; and (b7) summing up costs of all

materials consumed in the product to obtain material costs of the product; and (c) adding the

value-added costs and the material costs of a product to obtain actual costs of the product.

Furthermore, there is no apparent reason why applicant would be prevented from

presenting claims corresponding to those of the instant application in the other copending

application. See *In re Schneller*, 397 F.2d 350, 158 USPQ 210 (CCPA 1968). See also MPEP

§ 804.

Claims 1 and 11 of copending Application No. 10/748872 differ since they further recite

additional claim limitations. However, it would have been obvious to one of ordinary skill in the

art to modify claims 1 or 11 of copending Application No. 10/748872 by removing the additional

limitations resulting generally in the claims of the present application since the claims of the

present application and the claims of copending Application No. 10/748872 actually perform a

similar function. It is well settled that the omission of an element and its function is an obvious

expedient if the remaining elements perform the same function as before. *In re Karlson*, 136

USPQ 184 (CCPA 1963). Also note *Ex parte Rainu*, 168 USPQ 375 (Bd. App. 1969). Omission

of a reference element whose function is not needed would be obvious to one of ordinary skill in

the art.

Claims 1 and 7-11 of copending Appication No. 10/748872 do not disclose [a] database

server [connecting] to a purchase management system, an inventory management system, and a

production management system via a network for data transmission there between; [a] web

server [having] an application layer that comprises enterprise plans, operation methods, and

management models; and [a] web server returning the material costs of the product to a client

terminal for users of a company.

Shimizu discloses [a] database server [connecting] to a purchase management system, an inventory management system, and a production management system via a network for data transmission there between (Shimizu: Fig. 2, "111" and "121"; Fig. 11A; paragraphs 0103; 0105; 0170; The Examiner interprets server "111" and memory unit "121" to be a purchase management system, an inventory management system, and a production management system.); [a] web server [having] an application layer that comprises enterprise plans, operation methods, and management models (Shimizu: paragraph 0101); and [a] web server returning the material costs of the product to a client terminal for users of a company (Shimizu: paragraphs 0103; 0211).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified the system and method of claims 1 and 7-11 of copending Appication No. 10/748872 to have included [a] database server [connecting] to a purchase management system, an inventory management system, and a production management system via a network for data transmission there between; [a] web server [having] an application layer that comprises enterprise plans, operation methods, and management models; and [a] web server returning the material costs of the product to a client terminal for users of a company as disclosed by Shimizu for the advantage of facilitating the efficient operation of a cost estimation system.

Allowable Subject Matter

35.   Claims 14-15 are objected to as being dependent upon a rejected base claim, but would

be allowable if rewritten in independent form including all of the limitations of the base claim

and any intervening claims.

Conclusion

36.   The prior art made of record and not relied upon is considered pertinent to applicant's

disclosure.

      a.   Phillips et al., U.S. Publication No. 2002/0116348

      b.   Ueda et al., U.S. Publication No. 2002/0087490

      c.   Shimizu et al., U.S. Publication No. 2002/0026392

      d.   Banker et al., Product Costing and Pricing, The Accounting Review, Vol. 69, No.

3, July 1994, pgs. 479-494.

      e.   Sridharan et al., Freezing the Master Production Schedule under Rolling Planning

Horizons, Management Science, Vol. 33, No. 9, September 1987, pgs. 1137-1149.

      f.   Park et al., Proceedings of DETC'03 ASME 2003 Design Engineering Technical

Conferences and Computers and information in Engineering Conference, Chicago,

Illinois, September 2-6, 2003, Production Cost Modeling to Support Product Family

Design Optimization, pgs. 1-10.

37.   Applicant's amendment necessitated the new ground(s) of rejection presented in this

Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a).

Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within TWO

MONTHS of the mailing date of this final action and the advisory action is not mailed until after

the end of the THREE-MONTH shortened statutory period, then the shortened statutory period

will expire on the date the advisory action is mailed, and any extension fee pursuant to 37

CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

however, will the statutory period for reply expire later than SIX MONTHS from the date of this

final action.

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Eric Liou whose telephone number is (571)270-1359. The

examiner can normally be reached on Monday - Friday, 9:00-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, John Hayes can be reached on 571-272-6708. The fax phone number for the

organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published applications

may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

applications is available through Private PAIR only. For more information about the PAIR

system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR

system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would

like assistance from a USPTO Customer Service Representative or access to the automated

information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Eric Liou/
Examiner, Art Unit 3628

/JOHN W HAYES/
Supervisory Patent Examiner, Art Unit 3628